



PATENT IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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1-15-02

Applicant : Hoffberg et al  
Filed : March 2, 1999  
Serial No. : 09/260,802  
Examiner : Gordon, P.  
GAU : 2121  
For : ADAPTIVE PATTERN RECOGNITION BASED CONTROLLER  
APPARATUS AND METHOD AND HUMAN-FACTORED  
INTERFACE THEREFORE

RECEIVED  
JAN 14 2002  
Technology Center 2100

December 17, 2001

Hon. Commissioner of Patents  
and Trademarks  
Washington, DC 20231

Dear Sir:

#### RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement dated November 21, 2001, the time for response to which expires December 20, 2001, applicants herewith elect **Group VI**, claims 35-65, with traverse to prosecute together **Group VII**, claims 15-24, 66-100. Applicants also note that the existence of a request for Interference in the present application may compel consolidated proceedings involving claims 35-112. See. MPEP 2303.01.

A Preliminary Amendment and Statement under 37 C.F.R. § 1.607(a)(5) requesting declaration of interference with respect to US 6,136,316 accompanies this response. It is respectfully submitted that the newly added claims are within the elected group.

Groups VI and VII are related in that both seek to characterize the user, and perform an action relating to the user characterization. For example, claim 40 in Group VI provides:

40. A method, comprising:

storing a plurality of content records;

storing a user profile;

receiving a user request for content records;

relating content records with a stored user profile; and

presenting to the user the related content records[;].

While claim 66 of Group VII provides:

66. A system, comprising:

means for receiving subscriber specific data;

means for receiving program control information; and

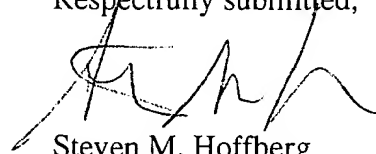
program selection means, operably connected to the storing means and the receiving means, for selecting one or more programs using the user subscriber specific information and the program control information.

In comparing these claims, it is apparent that the user profile corresponds to the subscriber specific data. The stored plurality of content records correspond to the received program control information. The program selection means is closely related to the presentation of the related content records to the user, based on the related content records with a stored user

profile. Therefore, it is respectfully submitted that the two groups are overlapping in scope and should be prosecuted together. Further, given the status of the application, substantial administrative efficiencies will be gained by consolidating prosecution.

Applicants herewith propose a set of linking claims in the accompanying Preliminary Amendment to make abundantly clear the two-way relation between the claim sets.

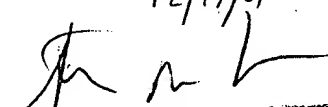
Respectfully submitted,



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12/17/01  
  
Date 12/17/01